

Atty. Dkt. No. 039153-0363 (F0804)

REMARKS

This is in response to restriction requirement. Claims 1, 11, and 15 are currently being amended. No new matter is added.

In paragraphs 1 and 2 of the Office Action, the Examiner stated that the previous response is not fully persuasive. Applicants agree with the Examiner that only claims 5 and 14 include limitations directed specifically to species I. Applicants respectfully submit that amended independent claims 1, 11 and 15 now read on species III. Accordingly, Applicants hereby elect species III and claims 1-20 cover species III. Each of independent claims 1, 11 and 15 recites steps of selectively etching.

With respect to paragraph 6 of the restriction requirement mailed on February 28, 2002, Applicants do not traverse on the ground that the species are not patentably distinct and therefore do not admit that the variance in the species are obvious with respect to each other.

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons which follow.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, are presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-20 remain pending in this application.

If the Examiner does not deem this response to be fully responsive, Applicants elect original claims 1-10 drawn to species I. Applicants' attorney believes that original claims 1-10 are generic for species I-IV. If the Examiner disagrees, it is respectfully requested that the Examiner explain which claims fall within each of species I-IV. The Examiner is invited to telephone the undersigned to advance prosecution with respect to this restriction requirement if this response is not persuasive.

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Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date 6-20-03

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